

RECEIVED
JAN 02 2025
US DISTRICT COURT
MID DIST TENN

**DISCIPLINARY APPEAL
FIGHTING: CLASS B
INCIDENT DATE: 07/29/24
INCIDENT # 001635580**



TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY REPORT APPEAL

APPEAL TO: WARDEN/
SUPER-INTENDENT ☒ COMMISSIONER ☐ (Check One)

TDOC ID: 238941

NAME (LAST) (14 characters)

Hall

FIRST (10 characters)

Jon

MI

D

INMATE ADVISOR

TDOC ID:

N/A

NAME (LAST) (14 characters)

N/A

FIRST (10 characters)

N/A

MI

N/A

DATE OF APPEAL

MO DAY YEAR

12 16 24

(INFORMATION ONLY) - DOCUMENT NUMBER

001635580

Institution of Confinement: Riverbend Maximum Security Institution

Grounds for Appeal

This is a case in which the new disciplinary chairperson, Sergeant, Amber Govan, was not properly trained in the capacity of an administrative law judge as demonstrated by her actions and did not conduct her disciplinary proceedings on incident # 1635580 in a fair and impartial manner, as required by TDOC Policy 502.01, § V. resulting in errors that caused substantial prejudice in the disposition of the case, based upon a write-up that was riddled with errors on the face of the write-up regarding the incident date, and warrants dismissal under TDOC Policy 502.01, § VI. L. (c) (Page 11 of 36). Because there was no advisor present, and Sergeant Govan, failed to contact Mr. Hall's guardian ad litem, (5) days before any disciplinary proceedings were initiated pursuant to the consent decree made with the interim commissioner of correction, and still in force and full effect, as shown by grievance. In support of this appeal the prisoner Jon Hall will show forth the following:

1. Mr. Hall timely grieved the fact that Sergeant Govan refused to timely provide the CR-1834 Forms within (5) working days as per TDOC Policy 502.01 § VI. L. n., at (Page 15 of 36) See: e.g. Grievance # 24-0323/00368708, that grieved Sgt. Govan's disciplinary hearing conduct that stated the following: "After 08/20/24 meeting sergeant Govan (Disciplinary chairperson) refuses to provide me with my timely records required by TDOC policy 502.01, § VI. L. n. (Page 15 of 36); Because, she failed to follow Wolff, 94 S.Ct. 2963, 2983 n. 20 (1974) mandated procedures in accordance to CR-1834 Forms."

Note: Use a separate copy of form for appeal to warden and to commissioner (use next page if additional space is needed)

Jon Hall
Inmate Name

12/16/24
Date



TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY CONTINUATION

Page 2 of 5 Pages

DATE: 12/16/24

DISCIPLINARY NUMBER: 001635580

NAME (LAST) (14 characters)

Hall

FIRST (10 characters)

Jon

MI

D

TDOC ID:

238941

ATTACH TO: BIO1DO26

X

CR-1833

CR-1834

2. The requested solution was: Remove Sergeant Govan from her new assignment, because she has obviously not been trained in that position. Unit Manager S.C. Burnette has sent her e-mails for my records and so has Sgt. Evans, and she failed to give reason of conviction.

3. The grievance was dated August 30, 2024 and the time to provide the CR-1834 forms was within (5) working days after the conclusion of the hearing, in which the hearing officer shall render a CR-1834 as follows and shall enter all appropriate information on Disciplinary (LIBK) and Disciplinary decision (LIBL), had already expired. Thus, this process could not be timely entered and was not provided to Mr. Hall for filling out any timely appeal that caused the interference and cover-up into the investigation through the mandated natural timely appeal procedure as set forth above. This prejudiced the entire procedure, because Sergeant Govan did not want to follow the consent decree and with deliberate indifference failed to contact Mr. Hall's guardian ad litem to witness her administrative proceedings, upon which it can reasonably be inferred that this was to frustrate the investigation into Hall's retaliation claim Heinrich 62 F.Supp.2d 282, (Mass. 1999) (Government officials intentional concealment of evidence crucial to judicial redress, in order to frustrate the right and reduce the likelihood of obtaining redress); and Adkins v. Wolever, 554 F.3d 650 (6th Cir. 2009) (spoliation of evidence sanctions).

4. Although warden Kenneth Nelsen agreed with Corporal Ward's grievance on October 16, 2024, that response was not upheld by the Assistant commissioner of Prisons, Mr. Benjamin bean, that marked the enclosed supporting grievance # 24-0323/00368708 by concluding: "Does not concur. The Commissioner's assstant Benjamin Bean response also said: "Please ensure that John Hall # 238941 receives his documentation to file his disciplinary appeal."

5. The grievance also had supporting documentation that show on page [33] that Federal U.S. District Court Judge Aleta A. Trauger signed an "agreed order" marked as Document 160, PageID # 1928 that states in pertinent part: "The disciplinary board hearing held on August 9, 2024, did not comply with the requirements of the settlement agreement of March 35, 2022. As a result, Plaintiff (Jon Hall) shall be returned to program level A immediately and will not be further charged for the July 2024 infraction."

6. On Page [34] of that same grievance is a copy of Jon Hall's disciplinary history signed by Unit 2 Counselor FNU/ S. Williamson CC3 dated 10/24/24, with the incident date 07/31/24, with the incident date 07/31/24, "Disciplinary class B - Fig Fighting," in contemptuous disobedience to the October 1, 2024 "Agreed Order." (Document 160, PageID # 1928).

Jon Hall

Signature of Reporting Employee

Jon Hall

Inmate Signature

12/16/24

Date

12/16/24

Date



TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY CONTINUATION

Page 3 of 5 Pages

DATE: 12/16/24

DISCIPLINARY NUMBER: 001635580

NAME (LAST) (14 characters)

Hall

FIRST (10 characters)

Jon

MI

D

TDOC ID:

238941

ATTACH TO:

BIO1DO26

X

CR-1833

CR-1834

7. The grievance # 24-0323/00368708 shows what the "Agreed order" is all about, i.e. "Motion for Emergency Status Conference" on pages [8-20], which provides exhibits and clearly states on page [10], § 1 (4) in pertinent part: "Yet, TDOC inexplicably has put Mr. Hall in restrictive custody for six months." See: August 27, 2024 email from TDOC's counsel, attached hereto as Exhibit B at Page [17].

8. When you look at the body of the served write-up on Pages [24-26], that only provides notice of the disciplinary incident report 1635580 regarding the notice of the pending disciplinary. You will notice by looking at the dates, it was created August 9, 2024, and served on August 11, 2024. That was plenty of actual knowledge to contact the guardian ad litem before the breach of the consent decree occurred. In other words, any claim that the disciplinary hearing on August 9, 2024, would be a legal impossibility due to the violation of the 24 hour due process notice requirement of pending charges. In short, document 160, needs to be amended to state that the disciplinary hearing that Sergeant Govan held was August 20, 2024, not August 9, 2024. But the record clearly shows that it is for the July 2024 disciplinary infraction for fighting.

9. What the body of the served write-up for fighting incident # 01635580 shows at page [25] of the grievance is, the knowing and deliberate breach of the March 25, 2022 settlement agreement entered at document 123-1, PageID 1332. Because the body of the served write-up at page [25] clearly shows that when it was served on August 11, 2024, Mr. Hall provided Sergeant Govan **actual notice** of the enforceable consent decree and Hall's interests by stating: "I want TDOC confirmation of contacting my guardian ad litem, as per settlement agreement document 123-2, Hall v. Trump, 3:19-cv-00628 w/in 5 days." See: grievance # 24-0323/00368708 at page [25], attached to document 161 (Motion to Alter and Amend Judgment).

10. Now the face of the record not only shows of the **deliberate breach of the consent decree by Sergeant Govan**, it further shows, the **administrations failure to correct Mr. Hall's disciplinary history** in accordance to the October 1, 2024 "Agreed Order," that states in pertinent part: "As a result, plaintiff (Jon Hall) shall be returned to program level A immediately and will **not be further charged** for the July 2024 infraction." See: supra fact 6, referring to grievance # 24-0323/00368708 at page [34], showing more contempt and **willful disobedience** to the Federal Courts "Agreed Order," located at page [33].

DUKAS

Signature of Reporting Employee

Jon Hall

Inmate Signature

12/16/24

Date

12/16/24

Date



TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY CONTINUATION

Page 4 of 5 Pages

DATE: 12/16/24

DISCIPLINARY NUMBER: 001635580

NAME (LAST) (14 characters)

Hall

FIRST (10 characters)

Jon

MI

D

TDOC ID:

238941

ATTACH TO: BIO1DO26 X CR-1833 CR-1834

11. TDOC / RMSI high managerial agents have failed to intervene into a disciplinary action that resulted in the wrongful placement of a prisoner in solitary confinement / restrictive confinement living conditions, without following the mandates of TDOC Policy 502.01, which cites Wolff, 94 S.Ct. 2963 (1974), on the policy under § I. (Authority) where the prisoner was wrongly subjected to this abuse of process again, in which the subject of the underlying consent decree was the conditions of confinement, an agreement was made not to take any disciplinary action until the TDOC / RMSI defendants contacted Mr. Hall's guardian ad litem, and now are found to be in contempt of the original consent decree. A procedure designed to protect the prisoner from abuse of force, and the defendants and their agents circumvented Mr. Hall's rights and done it again out of spite.

12. Here, RMSI defendant's tried Mr. Hall in absentia without any advisor, and then Sergeant Govan precluded Mr. Hall from having the necessary CR-1834 forms needed to exhaust his administrative remedies until after the Assistant Commissioner of Prisons Benjamin, reversed the Warden's findings and filed a response to grievance # # 24-0323/00368708 on November 14, 2024, when the process began on July 31, 2024. This drawn out process is adverse action to interfere into the administrative process, when the defendant's personnel created a situation by placing an inmate in danger, with the designed affect to conceal evidence of a meritorious claim. To chill the exercise of protected speech and frustrate judicial redress by ignoring the acts of retaliation to deny the right to exercise legal action against defendants. See: Thaddeas X v. Blatter, 175 F.3d 378 (6th Cir. 1999).

13. The merits of this disciplinary action here shows that Sergeant Govan, at every stage of these proceedings denied Mr. Hall a hearing with the aid of his guardian ad litem (just for asking for his guardian ad litem- there was no irate behavior), and tried him in absentia. Then, Sergeant Govan refused to explain her conduct for the reasons supporting the disciplinary action. Mr. Hall did not plead guilty and sign a CR-3171 waiver form, and any record that he did would be a forgery of Mr. Hall's signature. If she tries to say Lakesha Robinson's signature on the CR-3171 form located at grievance page [16], is a SIGNED WAIVER, that would constitute an act of conspiracy to violate Hall's rights, in violation of Tennessee Penal codes under T.C.A. § 39-12-103, and will result in action under Title 42 U.S.C. § 1985, against both parties. See: e.g. grievance # 24-0323/00368708 at page [16].

14. Sergeant Govan's reliance upon Jon Hall's written statement titled: "Necessary and Proper Encounter with Tony Carruther's # 139604" (two pages); to support her claim as to Hall's pleading guilty is clearly misstatement of law; and shows her lack of being an impartial judge by the lack of consideration of the statutory: duress claim T.C.A. § 39-11-504, the necessity claim, T.C.A. § 39-11-609, and the self-defense claim under T.C.A. 39-11-611, which shifted the burden of persuasion, and symbolizes her ignorance of the law, which is no excuse, and the warden's failure to train. Moreover, there was no evidence presented to rebut the claim, (including videotaped evidence). See: Walters, WL 21714421 (Tn. 2003) (self-defense); and Davenport, 973 S.W.2d 283 (Tn.App. 1998) (Necessity).

Signature of Reporting Employee

Jon Hall

Inmate Signature

Date

12/16/24

Date

12/16/24

OKAS

12/16/24

Page 5

Inmate Name:

Jon Hall # 238941 RMSI U-2-B-110

Jon Hall

001635580

In conclusion, Jon Hall never plead guilty and signed CR-3171 waiver form. Thus, Sgt. Govan is a liar, in violation of TDOC Policy 502.01 § VI. D. 3. (Page 5 of 36). Mr. Hall was not tried "in absentia" by a class A disciplinary board; because the only signature on the CR-1834 forms is Sergeant Govan. See Grievance page [19]. Jon Hall only requested that his guardian ad litem be contacted, and Sgt. Govan told Hall on August 20, 2024 she was going to continue the hearing, and did not do it. If she tried Mr. Hall in absentia, then why didn't she provide Hall an advisor, to conform with TDOC Policy 502.01 L. 2. c (page 11 of 36)? Sgt. Govan failed to rebut Hall's self-defense claim and did not meet her burden of persuasion, and refused to timely file CR-1834 forms, that provides a meaningful explanation of guilt establishing her ignorance as an administrative law judge, which proves she was not properly trained. Moreover, she is responsible for breaching the original consent decree, and then failed to abide by the 10/1/24 agreed order. All the records are in and included after the grievance was reversed, and Sgt Govan is exposed as incompetent. The case must be dismissed for errors, as pronounced by Judge Aleta A. Trauger 10/1/24. Compare: e.g. TDOC Policy 502.01 V. & VI., L. 5. f (1) (Pages 18-19 of 36, effective date 3/1/22). Because, Jon Hall was not tried. Mike Rimmers affidavit was not placed in evidence for Hall's defense theory and shows Lt. Stevens failed to investigate. See: e.g. Mike Rimmer's affidavit.

Enclosed herewith: 5 page appeal on 1833 forms: Grievance # 24-0323/00368708 (36) total pages: Also enclosed herewith CR-1834 forms, served write-up, continuances, and statement received 12/10/24 via Sgt. Evans - witness C/O Cothron marked as CR-1834 forms etc. (15) pages.

Submitted 12/16/24

Remainder of form to be completed by warden or commissioner

Disposition of Appeal

Conviction Affirmed

Punishment Reduced

Case Remanded to Board

Charges Dismissed

Reason(s) for Disposition

Instructions to Board on remand or description of reduced punishment::

Date

Signature of Warden or Commissioner

**DISCIPLINARY APPEAL
SUPPORTING RECORDS
CR-1834 FORMS
CONTINUANCES
STATEMENTS
ETCETERAS**

1

TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY REPORT HEARING SUMMARY

RMSI
INSTITUTION(Tomis Site ID)

1635580
Disciplinary Incident Number

OFFENDER NUMBER: 238941		FIGHTING	
INMATE NAME (LAST) (14 characters) HALL		FIRST (10 characters) JOHN	MI MI
ADVISOR NUMBER:			
INMATE ADVISOR NAME (LAST) (14 characters)		FIRST (10 characters)	MI MI
DATE OF HEARING MO DAY YEAR TIME		PLACE OF HEARING INSTITUTION RMSI	INMATE'S PLEA GUILTY-Y NOT GUILTY-N Y

COMMITTEE DECISION			
GUILTY-Y	NOT GUILTY-N	APPEALED-Y	NOT APPEALED-N
GUILTY		UNKNOWN	
DISCIPLINARY ACTION DATE (MONTH,DATE,YEAR)	CLASS OF INFRACTION (A,B,or C)	PROBATION END DATE (MONTH,DATE,YEAR)	
ENTERED BY SGT GOVAN		VERIFIED BY	
DATE		DATE	

PRELIMINARY INQUIRY

1 WAIVERS

- a. I agree to waive the right to 24-hour notice. ☐ Yes ☒ No

INMATE PLED GUILTY AND SIGNED CR-3171

238941

Inmate Signature

Number

Date

- b. I agree to waive the right to the reporting official present. ☐ Yes ☒ No

INMATE PLED GUILTY AND SIGNED CR-3171

238941

Inmate Signature

Number

Date

- c. I agree to waive the right to call witness(es) on my behalf. ☐ Yes ☒ No

INMATE PLED GUILTY AND SIGNED CR-3171

238941

Inmate Signature

Number

Date

2 CONTINUANCE

- a. Was case previously continued? ☐ Yes ☐ No

- b. If yes, when and at whose request?

3 CUSTODY PENDING HEARING

- a. Was inmate held in segregation/more restrictive setting pending hearing? ☒ Yes ☐ No

- b. If yes, when was he placed in segregation?

- 4 When was inmate given offense citation?

- 5 Is inmate represented by inmate advisor? ☐ Yes ☒ No

Staff advisor ☐ Yes ☒ No

- 6 Has inmate or inmates advisor had adequate time to prepare defense? ☒ Yes ☐ No

2

RMSI
INSTITUTION (TOMIS SITE ID)

1635580
DISCIPLINARY INCIDENT NUMBER

OFFENDER NAME: HALL, JOHN

TDOC NUMBER: 238941

HEARING

I fully understand that by entering a plea of guilty to the aforementioned charge(s), I am waiving my right to call witness(es) and present evidence on my behalf, must accept whatever punishment is imposed, and will not be allowed to appeal.

Inmate Signature

Number

Date

Witness(es) for Offender

Witness(es) Against Offender

Written Statement(s) submitted: ☒ Yes ☐ No

Written Statement(s) submitted: ☒ Yes ☐ No

Form CR3510 completed: ☐ Yes ☒ No

Form CR3510 received by disciplinary board ☐ Yes ☒ No

OTHERS PRESENT:

STATEMENT OF ACCUSED: INMATE PLED GUILTY AND SIGNED CR3171

DESCRIPTION OF PHYSICAL EVIDENCE INTRODUCED (Attach all test results)
INTERNAL AFFAIRS REPORT AVAILABLE: ☐ Yes ☒ No

BODY OF DISCIPLINARY

FINDINGS OF FACT AND SPECIFIC EVIDENCE RELIED UPON TO SUPPORT THOSE FINDINGS

DISPOSITION AND A STATEMENT OF REASONS WHICH SUPPORTS THAT DECISION:
GUILTY OF A CLASS B/\$4 FINE/WRITTEN WRNG
0

INMATE IS THUS FOUND

RECOMMENDATION OF LOSS OF:

Good/Honor Time ☐

Good Conduct ☐

(Amount) _____


Incentive Time ☐

Prisoner Performance Sentence Credits (PPSC) ☐

(Amount) _____

Prisoner Sentence Reduction Credits (PSRC) ☐

(Amount) _____


Disciplinary Board Chairperson/ Hearing Officer Signature

8-20-24
Date

Member

Date

Member

Date

3

BI01MGL
RMSI
WICHCH01

TENNESSEE DEPARTMENT OF CORRECTION
T O M I S
DISCIPLINARY REPORT

DATE: 08/09/2024
TIME: 07:20
PAGE: 01

OFFENDER NAME: HALL, JOHN
TOMIS ID: 00238941
INSTITUTION NAME: RIVERBEND MAXIMUM SECURITY INSTITUTION
UNIT ID: 2B1
CELL ID: 02

INCIDENT

INCIDENT ID: 01635580
INCIDENT DATE: 07/31/2024
INCIDENT TYPE: FIGHTING
DISCIPLINARY CLASS:
INFRACTION TYPE: FIGHTING
WEAPON USED: NO WEAPON
VIOLENCE COMMITTED: PHYSICAL, NO WEAPONS
PREPARED BY STAFF ID: STEVCH03
REPORTED BY STAFF ID: STEVCH03

WITNESSES/VICTIMS/PERSONS INVOLVED

PERSON ID: STEVCH03
PERSON TYPE: S
INJURED (Y/N): N
PERSON ID: 00139604
PERSON TYPE: O
INJURED (Y/N): N
PERSON ID: 00238941
PERSON TYPE: O
INJURED (Y/N): N

24

See 17
1954

BI01MGL
RMSI
WICHCH01

TENNESSEE DEPARTMENT OF CORRECTION
T O M I S
DISCIPLINARY REPORT

DATE: 08/09/2024
TIME: 07:20
PAGE: 02

4

TOMIS ID: 00238941 INCIDENT ID: 01635580
OFFENDER NAME: HALL, JOHN

DESCRIPTION:

UPON FURTHER REVIEW OF THE VALERUS CAMERA SYSTEM, IT WAS CONFIRMED ON JULY 29, 2024, AT 1213 PM THAT INMATE JOHN HALL #238941 ASSIGNED TO UNIT 2, ALPHA POD, CELL 210 AND TONY CARRUTHERS #139604 ASSIGNED TO UNIT 2, ALPHA POD, CELL 205 WERE OBSERVED FIGHTING ON THE TOP TIER OF UNIT 2, ALPHA POD. ACCIDENT / INJURY / TRAUMA (AIT) REPORT WAS COMPLETED BY LICENSED PRACTICAL NURSE (LPN) MOLLY TROTTER. INMATES HALL AND CARRUTHERS ARE CHARGED WITH FIGHTING. REVIEWED AND APPROVED BY CAPTAIN ROBERT MOSLEY.

I want Investigation Report on OSM system

PREPARED BY STAFF ID: STEVCH03 STEVENS, CHARLES
REPORTED BY STAFF ID: STEVCH03 STEVENS, CHARLES

I HAVE BEEN GIVEN A COPY OF THIS REPORT AND HAVE BEEN TOLD ABOUT MY LIMITED RIGHT TO REMAIN SILENT AND TO BE REPRESENTED BY AN OFFENDER ADVISOR.

John Hall

OFFENDER SIGNATURE
HALL, JOHN

8/11/24

DATE/TIME
00238941

7:54

OFFENDER WAS GIVEN COPY OF REPORT AND ADVISED OF RIGHTS BUT REFUSED TO SIGN REPORT.

D. A. Lawrence

EMPLOYEE INITIALS, IF REPORTING
EMPLOYEE; OTHERWISE, FULL NAME.

8-11-24 1954

DATE/TIME

*See Attached: Necessary and Proper
Encounter with Tony Carruthers #139604
Two pages.*

*Note: I was not provided with Notice of an extended
Pending Investigation pursuant to TDOC Policy 502.0.*

① *I want records of the offender Mgmt System.*

② *I want a video tape of U-2-A-208 of the
incident while under surveillance*

③ *I want TDOC Confirmation of contacting
my Guardian Ad Litem, as per Settlement Agreement
Doc 123-1 Hall v. Trump, 3:19-cv-00628 w/in 5 days.*

25

5

BI01MGL
RMSI
WICHCH01

TENNESSEE DEPARTMENT OF CORRECTION
T O M I S
DISCIPLINARY REPORT

DATE: 08/09/2024
TIME: 07:20
PAGE: 03

TOMIS ID: 00238941 INCIDENT ID: 01635580
OFFENDER NAME: HALL, JOHN

STEVCCH03
REPORTING OFFICIAL

8/9/24
DATE/TIME

STEVCCH03
PREPARED BY

8/4/24
DATE/TIME

Robert M. H.
REVIEWING DESIGNATED SUPERVISOR

8/9/24 1520
DATE/TIME

IF PLACED IN SEGREGATION:

SENIOR SECURITY OFFICER

DATE/TIME

WARDEN (SEGREGATION PENDING INVESTIGATION)

DATE/TIME

26

10-11-24
Trixist

Miami:
Rimmer!
B-Man?

1. VELCRO DANNY AND TROUBLE

6

Encounter with Tony Carruthers 139604 (Page 1 of 2)

Adopt
7-9-24

try Jones
Kevin Brown

See U-Z-A

POD VIDEO

Surveillance

7/9/24 AM

Around Breakfast time on July 9, 2024, Tony Carruthers I/M #139604

Squared off to fight with Henry Jones #455048 (After he puffed up his chest and did a penguin stroll towards him). Tony Carruthers backed-up off

H.T. or Miami, when Miami said I'm not afraid to take care of Business or words to that effect, and they chickened out. Note:

Miami has a lawsuit against TDOC/RMST Administration Henry Jones v.

Tony Mays et al., 3:21-cv-00666, I supported his pleadings with my Affidavit.

On July 22, 2024, I Filed a grievance against Mail room personnel for not

Staff
Witnesses

C. Burnette

Grievance

hauling my mail and providing me with a UPS tracking Number, after going through U-Mgr. S.C. Burnette, to get an answer to my I/M request form about it.

On July 29, 2024, I asked Ms. Wilson about the status of My Grievance - She

2. SICK Wilson

Grievance Status

E-mailed Cpl. Ward regarding the subject, and later informed me that Mr. Burnette was Filing a response to my denial of Equal treatment regarding Mail Service

by Ms Hodge. Around Brunch/Noon time I attempted to go to my cell

in A-210, by way of steps starting on A-201, and passing by Tony Carruthers Cell, where he was standing at the Rail and had the phone on his cell door

leaving an 18-20 inch pathway. After I passed him he started hollering

I touched his Ass, and he was sick and tired of white boys shit or words

to that affect (Showing symptoms of the Psychiatric effects of Solitary

confinement). I was at A-208 and saw Tony coming at me with the menacing

Stroll he approached Henry Jones on July 9, 2024. He got in my

Face and grabbed my sweat-shirt and swung at me as I pushed him

out-of-the way, after being struck in the top of my head leaving no marks.

As he went down he tried to pull my sweatshirt over my head and I righted

my balance and shed My sweatshirt, as he lay in a fetal position at the

wall, where I was fixing to put the Hammer to him (Figure of speech only)

when I ~~was~~ stopped by Bat-man or Greg Robinson #167488 (continued).

Do not
Feed Protective

Custody...

Staff witnesses

None

NO SECURITY GUARD PRESENT

NECESSARY AND PROPER

7

Encounter with Tony Carrothers [#] 139604 (Page 2 of 2)

(1) In conclusion, all my actions were justified based upon a reasonable belief and duress of Dealing with ~~one~~ person whom I know has been held in Solitary Confinement for at least the last ten years of my knowledge of him, that's got a public Record associating himself with the Viceroy's Street Gang in Memphis, Tennessee. Carrothers 35 SW3d 516 (Tn. 2000) and passes out literature with Tony Von Carrothers E-Mail address: 333maveyhouse@yahoo.com, allegedly Run by his Sister who has 201 Popular Memphis County or Shelby County Jail Ties, with TDOC employees through her Job (that I heard she worked for and probably still does, making the casual connection of Ties with RMST Mailroom personnel through RMST intake). Who are subject to Elite Deviance practices of Retaliation T.C.A. § 39-16-510. See e.g. T.C.A. § 39-11-611 (a); T.C.A. 39-11-504; and T.C.A. § 39-11-609. Res ipsa loquitur. ^{He came at me...} The U-Z video Surveillance of A-Pod @ Z08 7/29/24 speaks for itself. ^{Long v. State, 609 SW2d @ 485-8}

Tungstert
Victim)

I was in Fear of my Safety. (Don't fail)

* Veracity:

Tony's False claim I touched his Ass is Delusional Thinking. ^{Long v. State, 609 SW2d @ 485-8}

He's the only

Note: It is my opinion that I/M. Tony Carrothers (Initial Aggressor)

sexual Predator!

is suffering from the years of UN-treacher

No evidence...

Psychiatric Effects of Solitary Confinement,

the 16/13

See e.g. Hall v. Trump et al., 3:19-cv-00628

D.E. 9-1, Page 10 224-252 (Brief of Amici Curiae

CA 41-21-407

Professors and Practitioners of Psychiatry and Psychology in

Veracity

support of Plaintiffs - Appellees and Affirmance).

Character:

NOTICE: Tony Carrothers 1995 Rape Case Prosecuted by Atty General John Wheeler Campbell in the 30th Judicial District Court in Memphis, Tenn. # D-25948 is admissible to consider Veracity ^{See Prior Rpt. Note}

Honesty and Integrity

TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY CONTINUATION

DATE: 8-10-2024

DISCIPLINARY NUMBER: 1635580

NAME (LAST) (14 characters)

HALL

FIRST (10 characters)

JOHN

MI

TDOC ID:

00238941

ATTACH TO:

BIO1DO26

CR-1833

X

CR-1834

OFFENDER WAS HELD IN ABSENTIA FOR HIS UNWILLINGNESS TO PARTICIPATE IN HIS HEARING.
HE WAS FOUND GUILTY BY A CLASS(A) DISCIPLINARY BOARD DUE TO THE PREPONDERANCE
OF EVIDENCE.

Signature of Reporting Employee

Date

Inmate Signature

Date



TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY CONTINUATION

Page 1 of 1 Pages

DATE: 8/10/2024

DISCIPLINARY NUMBER: 1635580

NAME (Last) (14 characters)

HALL

FIRST (10 characters)

JOHN

MI

OFFENDER NUMBER:

238941

ATTACH TO:

BIO1DO26

CR-1833

X

CR-1834

DUE TO INMATE HALL'S IRATE AND UNSATISFACORTY BEHAVIOR, HIS HEARING WAS NOT ABLE TO BE HELD IN FULL CAPACITY
AND HE WAS IMMEDIATELY ESCORTED BACK TO HIS CELL. THE A BOARD MEMBERS DELIBARATED IN HIS ABSENSE.
END OF REPORT

Signature of Reporting Employee

August 10, 2024

Date

Inmate Signature

Date



Department of
Correction

TENNESSEE DEPARTMENT OF CORRECTIONS
AGREEMENT TO PLEAD GUILTY
AND
WAIVER OF DISCIPLINARY HEARING AND DUE PROCESS RIGHTS

6109
2/2/02

Inmate Name: HALL JOHN TDOC Number: 238941

Having been in violation of the rules as follows:

Disciplinary Docket Number: 1635580

Offenses and Category: FIGHTING

CLASS C

~~30 DAYS PUNITIVE~~ fine served / verbal warning

Guilty Plea Board 8-20-24

I admit I violated the above listed rule(s) and agree to plead guilty and accept whatever punishment the disciplinary board may impose. In making this agreement, I understand that I am waiving the following rights:

- 1 The right to personally appear before the disciplinary board.
- 2 The right to plead not guilty and to have the case against me proven by a preponderance of evidence.
- 3 The right to present my own version of the facts.
- 4 The right to call witnesses in my own behalf.

I am signing this agreement of my own free will and under no threat or coercion to do so. I understand that by signing this agreement, I must accept whatever punishment the disciplinary board may impose and will not be allowed to appeal.

Inmate Signature
[Signature]
Staff Witness
[Signature]
Disciplinary Board Chairperson

Date
8-20-24
Date
8-20-24
Date

DisciplinaryLinks Suspend ☐TOMIS ID **00238941** Hall, John

Status ACIV Location RMIS

Reset key fields

Refresh

Enter

Incident Date	Incident ID	Disc Class	First Infraction Type
07/31/2024	01635580		FIG FIGHTING
04/30/2020	01439937	B	DSP DESTROYING STATE PROPERTY
04/29/2020	01439791	B	DFN **DEFIANCE
01/13/2020	01422676	B	DFN **DEFIANCE
01/13/2020	01422681	B	DSP DESTROYING STATE PROPERTY
12/27/2019	01420187	B	DFN **DEFIANCE
11/26/2019	01415988	B	CON CONTRABAND
11/26/2019	01415990	A	PDW POSSESSION OF DEADLY WEAP
10/30/2018	01355928	B	CON CONTRABAND

Search

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Top Of List

State of Tennessee

) S/S Affidavit of Michael D. Rimmer

County of Davidson

To whom it may concern, this is my Affidavit

I am a witness, to the event in question that occurred on July 29, 2024. Involving Tony Carruthers and Jon Hall

My Address is: Riverbend Maximum Security Institution
Unit 2-A-211; 7475 Cockrill Bend Blvd.; Nashville, TN.
37209-1048.

This is my statement: about what happened, when I saw, overheard, or other wise know about the following incident in question by saying: "This is a true and correct account of this event based on my personal knowledge of who did what, where, to whom, how and why." This statement shows my knowledge of these relevant listed facts. My information is as stated as follows:

That on July 29, 2024, before afternoon yard call, I heard yelling outside or near my cell door. Which is Unit 2-A-211, so I looked out my door window and I saw Tony Carruthers yelling at Jon Hall in a threatening manner. Near the roll around phone. I then saw Tony Carruthers take a threatening stance and attack Jon Hall. Jon Hall attempted to protect himself as Tony Carruthers tried to pull Jon Hall's heavy sweatshirt over his head and beat him about the head area. I then saw another prisoner come up the stairs, I then came out of my cell to try and defuse the attack. But the other prisoner was successful in defusing the altercation. I know that Tony Carruthers was yelling racial slurs at Jon Hall, and this was not the only time this had occurred. In fact, all the white guys in unit 2 have experienced this from Tony Carruthers at one time or another, due to Tony Carruthers being obviously "mentally

ill." He had been locked down the entire time I've known him, until just recently. So its common knowledge that Tony Carruthers is "very mentally ill." Most of his arguments occur from him trying to hold the phone and not wanting to let anyone else use it. Despite the fact that he is not actually using it the majority of the time. When this incident occurred. There was no officer in the pod, and nothing has ever been done to stop Tony Caruthers from playing with the phone, preventing others that actually need it, from using it. He still tries to hold the phone all day and the officers never do anything to stop this. All of the aforesaid can be seen on camera. Jon Hall was merely trying to defend himself from Tony Carruthers that's "very mentally ill" because the prison administration has done nothing to help this mentally ill man and has in fact added to his mental illness by keeping him locked in a cell for decades.

I Michael Rimmer Declare under the penalty of perjury, that the foregoing information is true and correct, and based upon first hand knowledge." Carter v. Clark, 616 F.2d 228 (5th Cir.1980) (28 U.S.C. 1746, declaration under penalty of perjury).

"Further deponent says not."

On this 13th day of August 2024

Self-Defense

Defense of self has long been accepted as justification for activities which might otherwise confer criminal liability. Self-defense is based on the recognition that a person has an inherent right to self-protection and that to reasonably defend oneself from unlawful attack is a "natural" response to threatening situations. Similarly, it can be argued that one who acts in self-defense lacks the requisite *mens rea* for the commission of a crime. That is, the person who kills an attacker does not have as his or her primary purpose the taking of a life—but rather the preservation of his or her own.

As a Law on the Books feature later in this section shows, Texas law reads: "A person is justified in using force against another when and to the degree he reasonably believes the force is immediately necessary to protect himself against the other's use or attempted use of unlawful force." The wording of the Model Penal Code is similar. It reads: "The use of force upon or toward another person is justifiable when the actor believes that such force is immediately necessary for the purpose of protecting himself against the use of unlawful force by such other persons on the present occasion."⁹ A significant difference between the two, however, is the *reasonableness requirement* of the Texas law—a requirement also found in the laws of many other states. In judging the validity of a claim of self-defense, the Model Penal Code asks us to decide whether or not the defendant *subjectively* believed that the use of force was necessary; while Texas law judges the actor's decision *objectively*—that is, from the point of view of a reasonable person. The difference can be a crucial one.

As we shall see in Chapter 6, the requirement that the use of force in self-defense be reasonable mandates that the accused behave as a reasonable person would under the same circumstances. The concept of a **reasonable person** envisions a person who acts with common sense and who has the mental capacity of an average, normal, sensible human being. In judging any activity, the reasonable person criterion requires that the assumptions and ideas on which a defendant acted must have been objectively reasonable, in that the circumstances as they appeared to the defendant

SELF-DEFENSE

Page 178

a defense to a criminal charge that is based on the recognition that a person has an inherent right to self-protection and that to reasonably defend oneself from unlawful attack is a "natural" response to threatening situations.

REASONABLE PERSON

a person who acts with common sense and who has the mental capacity of an average, normal, sensible human being. The reasonable person criterion requires that the assumptions and ideas on which a defendant acted must have been reasonable, in that the circumstances as they appeared to the defendant would have created the same beliefs in the mind of an ordinary person.

CRIMINAL LAW IN THE NEWS

Killing of Burglars May Be Ruled Self-Defense

N.C. Homeowner Shot Two Men in His Driveway

LENOIR, N.C.—Authorities say that a homeowner who shot two suspected burglars to death appears to have acted in self-defense.

Caldwell County District Attorney David Flaherty said today that no charges would likely be filed against Keith Nadeau, 44, for killing John Wesley Dula Jr., 36, and Danny Koonce Jr., 34. But he emphasized that no final decision has been made.

"Until we get the complete investigation done, we're not going to make that call," Flaherty said.

Two burglaries in one day

Nadeau and his wife, Linda, told investigators that they returned to their

home near Collettsville Sunday afternoon and found a window broken and a television set and VCR missing, said Capt. Danny Barlow of the Caldwell County Sheriff's Department.

Several hours later, as they returned from a neighbor's house, they saw a red Geo pull into their driveway. Two men then got out and entered the house and came out with a microwave and another VCR.

Nadeau said he was in the driveway when the car came up, and he hid in the bushes, Barlow said. His wife told investigators that she was walking up the driveway with a flashlight that she shined on the car.

Nadeau then fired through an open car window, killing both men, Barlow said.

Was safety at stake?

Investigators have evidence that Koonce and Dula committed the first break-in, Barlow said, but the missing items have not been recovered.

Flaherty said the issue is whether Nadeau had reason to fear for his own safety in the confrontation.

Source: Frances Ann Burns, "Killing of Burglars May Be Ruled Self-Defense; N.C. Homeowner Shot Two Men in His Driveway," APB News. August 15, 2000. Reprinted with permission.

Once someone uses the term "reasonable person," it's awfully hard to define it.

—Richard J. Bartlett, former Dean, Albany Law School, Union University

APPARENT DANGER

that form of imminent danger that is said to exist when the conduct or activity of an attacker makes the threat of danger obvious.

When you are surrounded by four people, one of them smiling, taunting, demanding, terrorizing, you don't have a complete grasp or perfect vision.

—Bernhard Goetz (March 1985)

REASONABLE FORCE

a degree of force that is appropriate in a given situation and is not excessive. The minimum degree of force necessary to protect oneself, one's property, a third party, or the property of another in the face of a substantial threat.

DEADLY FORCE

force likely to cause death or great bodily harm.

would have created the same beliefs in the mind of an ordinary person. Hence, anyone motivated by special needs or driven by psychological forces not routinely present in the average person may find that the claim of self-defense would not be available to them in jurisdictions that impose the reasonableness requirement.

Apparent danger is another concept associated with self-defense. Apparent danger exists when the conduct or activity of an attacker makes the threat of danger obvious. Danger, for example, becomes apparent when a threatening individual draws a gun or a knife and approaches another person in a menacing fashion. The emphasis on "immediacy" and "present occasion" found in many state codes classifies forceful activities undertaken in self-defense as justifiable only when they occur within the context of a face-to-face encounter. Hence, while one who uses force to fight off an unlawful attack is justified in doing so, one who stalks and kills a potential attacker in a preemptive strike would be hard pressed to claim self-defense. Likewise, a person who "takes the law into their own hands" and exacts vengeance on a person who has previously victimized her, cannot be said to be acting in self-defense. In short, "the victim had it coming" is not a valid self-defense justification.

"Force," as the term is used within the context of self-defense, means physical force, and does not extend to emotional, psychological, economic, psychic, or other forms of coercion. A person who turns the tables on a robber and assaults him during the robbery attempt, for example, may be able to claim self-defense, while the business person who assaults a financial rival to prevent a hostile takeover of her company will have no such recourse.

Individuals may also protect themselves in the face of threats, where the threat implies that danger is present in a given situation even though the precise nature of that danger may not be immediately apparent. Situations involving present danger include circumstances where the threatened individual can anticipate the danger that he or she is about to face. So, for example, if a threatening individual says, "I am going to kill you!" and advances on another while reaching into his pocket, the threatened individual can reasonably assume that the attacker is reaching for a weapon and can act on that basis. Difficulties may arise, however, when defensive force is used on an attacker who may be incapable of carrying out the threat. Someone who says "I'm going to kill you," for example, while searching for lost keys to a locked gun cabinet would appear to represent a less immediate danger than one who has keys in hand. Most jurisdictions recognize, however, that a reasonable amount of force can be used to protect oneself in the face of threats that seem to clearly imply that the use of unlawful force is imminent.

The amount of force used by one who seeks to defend oneself from unlawful attack must be proportionate to the amount of force or perceived degree of threat that one is seeking to defend against. Hence, **reasonable force** is that degree of force that is appropriate in a given situation and is not excessive. Reasonable force can also be thought of as the minimum degree of force necessary to protect oneself, one's property, a third party, or the property of another in the face of a substantial threat.

Deadly force, the highest degree of force, is considered reasonable only when used to counter an immediate threat of death or great bodily harm. Deadly force cannot be used against nondeadly force. If a lesser degree of injury can be anticipated, or if a lesser degree of force affords an effective defense, it must be used. Similarly, once danger has been averted the use of force must cease. A person who overcomes an attacker, for example, leaving him incapable of further attack, is unjustified in then taking the attacker's life. Once a threat has been deterred it is improper for a person who has successfully defended himself to continue using force. Doing so effectively reverses the role of attacker and victim. So, for example, a person walking home alone at night might be accosted by a robber who beats him. If the would-be victim turns the tables on the robber by using a can of "pepper spray," which disables and temporarily blinds the robber, he would be unjustified if he then picked up a rock and smashed the skull of the incapacitated robber.

**DISCIPLINARY APPEAL
SUPPORTING RECORDS
GRIEVANCE #24-0323 /
TOMIS # 00368708**

Department of
Correction

MEMO

Inmate Name: John Hall TDOC Number: 238941Institution: W-502 Housing Unit: 2B102Institution Grievance Number: 29-0313 TOMIS Grievance Number: 368708

Commissioner's Response:

Please ensure that John Hall #238941 receives his documentation to file his disciplinary appeal.

☐ Concur with Warden ☐ Concur with Supervisor ☒ Does not Concur11/14/2011
DateFrancis L. Benjamin Jr.
Assistant Commissioner of Prisons

FS-1A

Department of Correction • 6th Floor Rachel Jackson Building • 320 Sixth Avenue North •
Nashville, TN 37243 • Tel: 615-253-8180 • Fax: 615-253-1668 • tn.gov/Correction

1231



Department of
Correction

TENNESSEE DEPARTMENT OF CORRECTION
INMATE GRIEVANCE RESPONSE

Hall, John
NAME

238941
NUMBER

RMSI - 2B102
INSTITUTION & UNIT

24-0323/00368708
GRIEVANCE NUMBER

Summary and Testimony Presented to Committee listed on the Hearing Minutes page, if applicable

Inmate Grievance Committee's Response and Reasons No hearing was held. Grievance deemed inappropriate per TDOC Policy 501.01. Grievant stated an issue about being written up which is a disciplinary matter.

October 14, 2024
Date

CHAIRMAN

MEMBER

MEMBER

MEMBER

MEMBER

Warden Response: Agrees with Proposed Response.

Disagrees with Proposed Response

If Disagrees, Reasons for Disagreement

Action Taken:

DATE:

WARDEN'S SIGNATURE:

Do you wish to appeal this response?

X YES

NO

If yes:

Sign, date, and return to chairman for processing. Grievant may attach supplemental clarification of issues or rebuttal/reaction to previous responses if so desired.

GRIEVANT

DATE

RECEIVED

WITNESS

Commissioner's Response and Reason(s):

BY:

Prison Operations

GRIEVANCE OFFICE

SIGNATURE

White-Inmate Canary-Warden Pink-Grievance Committee Goldenrod-Commissioner

CR -1393 (Rev. 3-00)

RDA 2244



Inp-501.01 V1. (M)(C)
TENNESSEE DEPARTMENT OF CORRECTION

SEP 23 2024

GRIEVANCE OFFICE

INMATE GRIEVANCE

Copying violation - Records were due 5 days after hearing. See attached CR-3171 Form she provided as guilt determination that is not signed by me or in my presence.

Jon Hall

238941

R MSI U-Z-B-102

NAME

Apter 8/24/24 Meeting

NUMBER

INSTITUTION & UNIT

DESCRIPTION OF PROBLEM: Sgt. Gavon (Disciplinary Chairperson) Refuses to provide me with my timely Records, Required by TDOC Policy 502.01 VI L N (Pg 15 of 36); because she failed to follow Wolff 94 S.Ct 2963, 2973 n 20 (1994) mandate Procedures, in accordance to CR-1834 Forms.

REQUESTED SOLUTION: Remove Sgt. Gavon from Her New assignment, because she has obviously not been trained in that position. U-Mgr S.C. Burnette has sent her E-mails for my records and so has Sgt Evans, and she failed to give reasons of conviction.

Signature of Grievant

Date

TO BE COMPLETED BY GRIEVANCE CLERK

24-0323/00368708
Grievance Number

9/23/2024
Date Received

Tham Nim
Signature of Grievance Clerk

INMATE GRIEVANCE COMMITTEE'S RESPONSE DUE DATE:

AUTHORIZED EXTENSION:

New Due Date

Signature of Grievant

INMATE GRIEVANCE RESPONSE

Summary of Supervisor's Response/Evidence: See CR-3148

RECEIVED

OCT 14 2024

GRIEVANCE OFFICE

Chairperson's Response and Reason(s): Supervisor Response Acknowledged MSI

DATE:

10/01/24

CHAIRPERSON:

CPI [Signature]

Do you wish to appeal this response?

YES

NO

See attached Rebuttal Response Page 23

If yes: Sign, date, and return to chairman for processing within five (5) days of receipt of first-level response.

10/07/24

GRIEVANT

Heinrich G2 F. Supp. 2d 282, 315 (1994) (Access violated when officials intentionally concealed information crucial to judicial redress to frustrated relief. TCA § 27-2-101 et seq. Turner, 993 SW2d @ 78 (Tenn App 1999)).

DATE

OCT. 7 2024

WITNESS

Donald M. [Signature] 10/14/24

Distribution Upon Final Resolution:

White - Inmate Grievant Canary - Warden Pink - Grievance Committee Goldenrod - Commissioner (if applicable)



Department of
Correction

TENNESSEE DEPARTMENT OF CORRECTIONS
AGREEMENT TO PLEAD GUILTY
AND
WAIVER OF DISCIPLINARY HEARING AND DUE PROCESS RIGHTS

B103
2A2/02

Inmate Name: HALL JOHN TDOC Number: 238941

Having been in violation of the rules as follows:

Disciplinary Docket Number: 1635580

Offenses and Category: FIGHTING

CLASS C

~~30 DAYS PUNITIVE~~ fine waived / verbal warning

I admit I violated the above listed rule(s) and agree to plead guilty and accept whatever punishment the disciplinary board may impose. In making this agreement, I understand that I am waiving the following rights:

- 1 The right to personally appear before the disciplinary board.
- 2 The right to plead not guilty and to have the case against me proven by a preponderance of evidence.
- 3 The right to present my own version of the facts.
- 4 The right to call witnesses in my own behalf.

I am signing this agreement of my own free will and under no threat or coercion to do so. I understand that by signing this agreement, I must accept whatever punishment the disciplinary board may impose and will not be allowed to appeal.

Inmate Signature

[Signature]

Date

8-20-24

Staff Witness

[Signature]

Date

8-20-24

Disciplinary Board Chairperson

Date



Department of
Correction

MEMO

To: Administrative Lt. Thomas
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: September 23, 2024
Subject: Supervisor's Response Requested (CR-3148)
Grievance: 24-0323/00368708

Grievant: John Hall, #238941

Unit/Location: 2B102

The Inmate listed above has filed a grievance pertaining to your department or area of responsibility. As a result, I need you to complete form CR-3148 with a Supervisor Response that specifically addresses the grievant's concern. You may complete the form electronically and e-mail it to me or complete the enclosed form and mail it back to the Grievance Office.

It is our goal to resolve all grievances at the lowest level possible. I ask that, if possible, please attempt to resolve the complaint with the grievant. If you get the issue resolved, please complete the following steps:

- »» Complete the CR-3148, Supervisor Response form. Allow the grievant to review your response.
- »» At the bottom of the Inmate Grievance Form (CR-1394), have the grievant check the NO box next to the 'Do you wish to appeal this response?' question.
- »» Make sure the grievant signs and dates the CR-1394.
- »» You sign the Witness line and return all paperwork to the Grievance Office.

If you are unable to resolve the issue, please complete the enclosed Supervisor's Response (CR-3148) as requested in the instructions at the opening of this memo and return it to the Grievance Office by the listed date.

Thank you for your help.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Blvd. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

3



MEMO

To: John Hall, #238941 Unit/Location: 2B102
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: September 23, 2024
Subject: Inappropriate Grievance Notification
Grievance: 24-0323/00368708

Your grievance has been deemed inappropriate to the grievance procedure.

1. Disciplinary matters are inappropriate to the grievance procedure. (501.01 VI. H.1)
Appeals on disciplinary matters need to be done through the disciplinary process.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Blvd. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

4



Tennessee Department of
Correction

TENNESSEE DEPARTMENT OF CORRECTION
INAPPROPRIATE GRIEVANCE NOTIFICATION

To: John Hall, #238941 Unit/Location: 2B102
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: September 23, 2024
Subject: Inappropriate Grievance

This grievance is inappropriate to the grievance procedure. Your grievance is being returned to you for one or more of the following reasons:

1. Disciplinary matters are inappropriate to the Grievance Procedure. [Policy #501.01 VI.(H)(1)]
2. Appealing decisions or actions of any agency outside the Tennessee Department of Correction (TDOC) is inappropriate to Grievance Procedure. [Policy #501.01 VI.(H)(2)]
3. Classification matters/Institutional placement are inappropriate to Grievance Procedure. [Policy #501.01 VI.(H)(3)]
4. Appealing or seeking review of sentence credits. [Policy #501.01 VI.(H)(4)]
5. Grievance Procedure cannot award monetary compensation for injuries or property loss. [Policy #501.01 VI.(H)(5)]
6. Addressing questions regarding sentence structures. [Policy #501.01 VI.(H)(6)]
7. Visitor's behavior which results in disciplinary action. [Policy #501.01 VI.(H)(7)]
8. A diagnosis by medical professionals and medical co-pay is inappropriate. [Policy #501.01 VI.(H)(8)]
9. Security Threat Group (STG) Placement. [Policy #501.01 VI.(H)(9)]
10. Mail rejection. [Policy #501.01 VI.(H)(10)]
11. You have already filed a grievance on this issue. Inmates shall not be permitted to submit more than one grievance arising out of the same or similar incident. [Policy #501.01 VI.(I)(1)]
12. Abuse of Grievance Procedure. You can only have one grievance pending at Level 1 for review. [Policy #501.01 VI.(I)(2)]
13. Profanity, insults, and racial slurs, unless an alleged direct quote of another party, shall not be permitted. Threats may result in disciplinary action. [Policy #501.01 VI.(I)(3)]
14. Grievances must be filed within seven calendar days of the occurrence giving rise to the grievance. A complaint shall not address multiple issues. [Policy #501.01 VI.(C)(1)]

This grievance is unable to be processed due to you not following policy. Grievance forms not properly completed or containing insufficient information for processing shall be returned to the inmate with instructions as to proper completion. [Policy #501.01 VI.(C)(1)] Your grievance is being returned to you for the following reason(s):

1. No specific details (i.e. dates, times, names of persons involved as mandated in *Inmate Grievance Handbook*, Page 7, First Level of Review.)
2. You did not: a) Sign and date, and or b) state your "Requested Solution",
3. Grievance shall be submitted on Form CR-1394 pages 1 and 2. All copies must be legible and in tact. [Policy #501.01 VI.(C)(1)]
4. _____

REMINDER: You have seven (7) calendar days FROM THE DATE THE INCIDENT OCCURRED to submit a grievance. If you are still interested in filing this grievance, please make the necessary corrections and return to grievance office for further processing immediately. If you would like to appeal this response, sign the bottom of your grievance, check "yes" then date it and place (with this coversheet) back in the grievance box. If you have any questions regarding this memo, please have your Unit Officer contact me at Ext. ##### to schedule an appointment. TDOC Policies and Procedures are available in the library.

Cpl. S. Ward, Grievance Chairperson, RMSI

CR 3689

Duplicate as Needed

RDA 2244



Department of
Correction

MEMO

To: John Hall, #238941 Unit/Location: 2B102
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: October 1, 2024
Subject: Supervisor's Response to Grievance
Grievance: 24-0323/00368708

Enclosed you will find a copy of your grievance with the ORIGINAL FIRST PAGE of the 'Grievance' form CR-1394. Please review this form which includes the supervisor's response and if you would like to appeal, check (YES) or, if you don't want to appeal, check (NO). You must complete the CR-1394 by including your signature and date at the bottom where it indicates 'Grievant' and 'Date'.

Please note: if you fail to return the ORIGINAL CR-1394 signed, dated, and the (Yes) or (No) box checked, we will make a second attempt to contact you in regards to this grievance. If, after the second attempt, you still fail to respond, this grievance will be resolved due to failure of the grievant to participate in the grievance process.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Blvd. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

6



TENNESSEE DEPARTMENT OF CORRECTION
RESPONSE OF SUPERVISOR OF GRIEVED EMPLOYEE OR DEPARTMENT

DATE: 9/23/2024

Please respond to the attached grievance, indicating any action taken.
Date Due: 9/30/2024

24-0323/00368708
Grievance Number

Hall, John
Inmate Name

238941
TDOC ID

This grievance should be deemed inappropriate based on not following proper protocol of appeal process through disciplinary issues

[Signature]
SIGNATURE LT Thomas

9/30/24
DATE

White - Inmate Grievant Canary - Warden Pink - Grievance Committee Goldenrod - Commissioner

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JON HALL #238941

Plaintiff,

v.

TONY PARKER,

et al.,

Defendants.

CAPITAL CASE

No. 3:19-cv-00628

JUDGE TRAUGER

MOTION FOR EMERGENCY STATUS CONFERENCE

By and through his court-appointed guardian ad litem and counsel, Jon Hall ("Mr. Hall") hereby moves this Court for an emergency status conference and order to enforce the settlement agreement in this matter, on account of repeated breaches of that agreement by the Tennessee Department of Corrections ("TDOC").

Following a *pro se* complaint, this Court appointed the undersigned counsel for Mr. Hall (DE 8), who investigated the conditions of his confinement and brought a lawsuit on his behalf arguing that Mr. Hall was both subjected to cruel and unusual punishment under the Eighth Amendment and deprived of due process under the Fifth and Fourteenth Amendments by officials at TDOC. (DE 45.) Following three years of litigation, the parties resolved the lawsuit with a settlement agreement that:

- (a) Involved substantial changes to TDOC policies to end the use of solitary confinement by arranging for significantly more time out of cell and opportunities to interact with other inmates, as well as substantially less time in restricted custody for inmates charged with disciplinary infractions;

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(b) Required TDOC to consider an inmate's mental health when subjecting them to restricted custody; and

(c) Implemented - and required TDOC to continue - an individualized treatment plan for Mr. Hall in light of his documented mental health limitations, as confirmed by expert witnesses in this matter.

(DE 123-1.) The agreement further provided that TDOC would inform Mr. Hall's guardian ad litem and counsel of any changes to his level status, provided for this Court to retain jurisdiction and for Mr. Hall's counsel to retain standing to protect Mr. Hall from any breaches by TDOC, and provided that Mr. Hall's counsel has a contractual right to attorney's fees if forced to enforce the settlement agreement. (*See id.*) On April 11, 2022, this Court dismissed this case but retained jurisdiction to enforce the settlement agreement. (DE 124.)

Now, Mr. Hall seeks an emergency status conference with this Court because TDOC has repeatedly breached the agreement in multiple ways. TDOC has also failed to provide the requisite documentation to justify its actions and has refused to rectify the situation. Specifically:

(1) On or about July 31, 2024,¹ Mr. Hall was attacked by another inmate. TDOC immediately took away Mr. Hall's privileges and changed his level status, and he has been in restricted custody since that moment.

(2) Mr. Hall's counsel and guardian ad litem were not informed of this change in level status. Rather, they learned of the above developments only because Mr. Hall contacted them. This is a direct violation of the settlement agreement. (*See* DE 123-1, pg. 5, ¶ 19.)

¹ Counsel is uncertain of the exact date because records are scant and the story from Mr. Hall, who says the incident took place July 23, is inconsistent with TDOC's story.

(3) Mr. Hall insists that he told TDOC they needed to inform his counsel, yet TDOC failed to do so. Then, having failed to inform counsel as required, TDOC held a hearing at which neither Mr. Hall nor his counsel was present.

(4) Once Mr. Hall's counsel reached out to TDOC and its counsel, they finally received some documentation. That documentation suggests that Mr. Hall was initially punished by being placed in restrictive custody for the infraction of "fighting" for 30 days.² Yet, TDOC inexplicably has put Mr. Hall into restrictive custody for six months.³ According to the evidence and expert opinions obtained in this matter, six months of restrictive custody is inevitably causing further deterioration of Mr. Hall's mental condition and additional suffering. Counsel has pointed out that the six-month penalty is far in excess of normal punishment standards and is causing significant harm to Mr. Hall, but TDOC has refused to change Mr. Hall's status.

(5) The documents provided by TDOC show no evidence whatsoever that TDOC considered Mr. Hall's mental health before putting him into restrictive custody.⁴ This is an express violation of the settlement agreement and TDOC policy. Counsel has informed TDOC of its express violation, yet TDOC has refused to release Mr. Hall or to otherwise rectify the situation.

(6) Furthermore, Mr. Hall insists he is innocent because he was attacked by the other inmate. Counsel has a sworn affidavit from another inmate confirming Mr. Hall's story.

² See disciplinary records attached hereto as Exhibit A.

³ See August 27, 2024 email from TDOC's counsel to undersigned counsel, attached hereto as Exhibit B.

⁴ See discipline incident summary attached hereto as Exhibit C.

Counsel has shared this evidence with TDOC, but TDOC has continued to refuse to release Mr. Hall.

(7) As of this filing, and despite repeated requests from counsel, TDOC has failed to provide adequate documentation of Mr. Hall's mental health status. To the extent any evidence has been provided, it suggests that TDOC is in further breach of the settlement agreement. For example, one mental health record notes that, at one point following the settlement agreement, the mental health physicians went *three months* without seeing Mr. Hall.⁵ But the settlement agreement requires that Mr. Hall have individual therapy out of his cell twice a week and a daily check-in with behavioral health staff. (DE 123-1, pg. 4, ¶ 15.) Needless to say, seeing Mr. Hall every three months is far from the twice-a-week guarantee that TDOC promised when it entered into the settlement agreement.

Put simply, as of the time of this filing, Mr. Hall has now served almost 60 days in restrictive custody for an infraction that he likely did not commit, for which punishment was instituted without any consideration of his very precarious mental health, and for which TDOC apparently failed to treat.

Given these circumstances, counsel have been pushing TDOC for weeks to provide adequate documentation, to release Mr. Hall out of restrictive custody and back to an A-level, and to provide a documented plan to actually provide the individualized mental health treatment required by the settlement agreement. TDOC has failed to do so. Accordingly, counsel is left with no choice but to seek relief from this Court. Every day Mr. Hall remains in restricted custody and

⁵ Contemporaneously with this motion, undersigned counsel is filing a Motion for Leave to File Document Under Seal, which seeks permission to file an individual psychiatry session progress record, received by undersigned counsel on September 20, 2024, under seal as Exhibit D. Counsel will submit this record to the Court following the resolution of that motion.

does not receive mental health treatment is another day that his already precarious mental health further declines.

Among other ways, TDOC appears to have breached the settlement agreement by: (a) failing to inform Mr. Hall's counsel and guardian of his level change (*see* DE 123-1, ¶ 15, ¶ 19), (b) failing to provide the individualized mental health treatment plan for Mr. Hall (*see* DE 123-1, ¶ 15), and (c) failing to consider Mr. Hall's mental health when placing him in restrictive custody (*see* DE 123-1, pg. 10). Unless different documentation is later provided to contradict what has been provided to Mr. Hall's counsel, these violations are evident on the face of TDOC's own documents and do not need further proof.

Therefore, counsel asks that this Court convene a status conference at the earliest possible opportunity so that the parties and the Court can address the best steps forward. For example, this is a simple breach of contract action, which this Court has retained jurisdiction to enforce. Does this Court wish for Mr. Hall's counsel to file a new complaint, or shall this be handled via motion and a memorandum? Is limited discovery needed, and of what scope, and how fast can that be obtained? Related to that, Mr. Hall's counsel desires a court order that he should be released back to Level A immediately and begin to immediately receive the individualized mental health treatment promised under the settlement agreement. Every day that Mr. Hall remains in restrictive custody – which, again, appears to be unjustified on multiple metrics – causes further erosion to his mental health.

The remedy for a breach of contract is monetary damages. TDOC has materially breached its contract with Mr. Hall. Counsel believes that a jury trial – which should be limited to damages, because the breaches are unquestioned – is appropriate. Further, counsel has incurred over \$20,000 in legal fees assisting Mr. Hall with this issue, none of which should have been necessary had

TDOC simply kept its contractual obligations. The settlement agreement entitles counsel to their attorney's fees when they are forced to enforce the agreement. (DE 123-1, pg. 6, ¶ 21.) Counsel seeks an award of their attorney's fees.

These and any issues TDOC may wish to raise are all ripe for this Court's immediate consideration. Counsel believes this will be best achieved via a status conference and respectfully requests that this Court order that such a conference take place at the earliest possible opportunity.⁶

Respectfully submitted,

/s/ Eric G. Osborne

William L. Harbison (#7012)
Eric G. Osborne (#29719)
Alice E. Haston (#38708)
Micah N. Bradley (#38402)
SHERRARD ROE VOIGT & HARBISON, PLC
1600 West End Avenue, Suite 1750
Nashville, Tennessee 37203
(615) 742-4200
bharbison@srvhlaw.com
eosborne@srvhlaw.com
ahaston@srvhlaw.com
mbradley@srvhlaw.com

Counsel for Plaintiff

/s/ Bradley A. MacLean (by EGO w/p)

Bradley A. MacLean
1702 Villa Place
Nashville, Tennessee 37212

Guardian Ad Litem for Plaintiff

⁶ Pursuant to Local Rule 7.01(a), undersigned counsel has conferred with counsel for TDOC about this motion. TDOC does not object to having a status conference with this Court and has stated that they could be available for such a status conference via telephone as early as this afternoon or tomorrow. Alternatively, counsel could be available for an in-person status conference next week. Undersigned counsel is agreeable to either approach. Further, as of the time of the filing of this motion, undersigned counsel understands that TDOC is considering a potential change to Mr. Hall's level status. In the event that such a change occurs prior to the parties' status conference, undersigned counsel will notify the Court.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Emergency Status Conference has been served upon all counsel of record by operation of this Court's CM/ECF system and/or electronic mail on September 24, 2024.

Dawn Jordan
Office of the Tennessee Attorney General
UBS Building, 18th Floor
315 Deaderick Street
Nashville, Tennessee 37243
dawn.jordan@ag.tn.gov

Counsel for Defendants

/s/ Eric G. Osborne

TENNESSEE DEPARTMENT OF CORRECTION
DISCIPLINARY CONTINUATION

Page ____ of ____ Pages

DATE: 8-10-2024

DISCIPLINARY NUMBER: 1635580

NAME (LAST) (14 characters)

HALL

FIRST (10 characters)

JOHN

MI

TDOC ID:

00238941

ATTACH TO:

BIO1DO26

CR-1833

☒

CR-1834

OFFENDER WAS HELD IN ABSENTIA FOR HIS UNWILLINGNESS TO PARTICIPATE IN HIS HEARING.
HE WAS FOUND GUILTY BY A CLASS(A) DISCIPLINARY BOARD DUE TO THE PREPONDERANCE
OF EVIDENCE.

Signature of Reporting Employee

Date

Inmate Signature

Date



Tennessee
Department of
Corrections

TENNESSEE DEPARTMENT OF CORRECTIONS
AGREEMENT TO PLEAD GUILTY
AND
WAIVER OF DISCIPLINARY HEARING AND DUE PROCESS RIGHTS

B103
2/2/02

Inmate Name: HALL JOHN TDOC Number: 238941

Having been in violation of the rules as follows:

Disciplinary Docket Number: 1635580

Offenses and Category: FIGHTING

CLASS C

30 DAYS PUNISHMENT

fine waived / verbal warning

Guilty Plea Board 8-20-24

I admit I violated the above listed rule(s) and agree to plead guilty and accept whatever punishment the disciplinary board may impose. In making this agreement, I understand that I am waiving the following rights:

- 1 The right to personally appear before the disciplinary board.
- 2 The right to plead not guilty and to have the case against me proven by a preponderance of evidence.
- 3 The right to present my own version of the facts.
- 4 The right to call witnesses in my own behalf.

I am signing this agreement of my own free will and under no threat or coercion to do so. I understand that by signing this agreement, I must accept whatever punishment the disciplinary board may impose and will not be allowed to appeal.

Inmate Signature

[Signature]

Date

8-20-24

Staff Witness

[Signature]

Date

8-20-24

Disciplinary Board Chairperson

Date

From: Dawn Jordan <Dawn.Jordan@ag.tn.gov>
Sent: Tuesday, August 27, 2024 3:01 PM
To: Eric Osborne <EOsborne@srvhlaw.com>
Subject: Jon Hall

Good afternoon, Eric! I just got information from TDOC about the Jon Hall assault disciplinary matter. Both Mr. Hall and the other inmate were placed on Level B for 6 months because of the disciplinary charge. I will keep a lookout on it and make sure that this does not get out of hand again.

Also, TDOC General Counsel email is Jen.Brenner@tn.gov.

I hope you have a great afternoon.

Dawn Jordan | Special Counsel
Office of the Tennessee Attorney General
UBS Building, 18th Floor
315 Deaderick Street, Nashville, TN 37243
Mailing Address:
P.O. Box 20207, Nashville, TN 37202
(615) 741-6440
Dawn.Jordan@ag.tn.gov

**MAKING THE CASE
FOR TENNESSEE**

Incidents



Links Suspend ☐

Site ID RMSI Riverbend Maximum Security Institution

Incident ID 01636880

Reset key fields

Detail Description Persons Involved

Incident

Incident Date 07/31/2024 Incident Time 12:13 PM

Add

Reported by Staff ID STEVCH03 Stevens, Charles

Modify

Prepared by Staff ID STEVCH03 Date 07/31/2024

Delete

Description

UPON FURTHER REVIEW OF THE VALERUS CAMERA SYSTEM, IT WAS CONFIRMED ON JULY 29, 2024, AT 1213 PM THAT INMATE JOHN HALL #238941 ASSIGNED TO UNIT 2, ALPHA POD, CELL 210 AND TONY CARRUTHERS #138604 ASSIGNED TO UNIT 2, ALPHA POD, CELL 205 WERE OBSERVED FIGHTING ON THE TOP TIER OF UNIT 2, ALPHA POD. ACCIDENT / INJURY / TRAUMA (AIT) REPORT WAS COMPLETED BY LICENSED PRACTICAL NURSE (LPN) MOLLY TROTTER. INMATES HALL AND CARRUTHERS ARE CHARGED WITH FIGHTING. REVIEWED AND APPROVED BY CAPTAIN ROBERT MOSLEY.

PrintPath



Bottom Of List

18

DisciplinaryLinks ☐ Suspend ☐COMES ID **00238941** Hall John

Status ACTIV Location RMBI

Disciplinary Sentence Appeal

Reset key fields

Inquire

Refresh

Modify

Delete

Request

FastPath

Go

LIBK

Incident ID	01635590	Incident Date	07/31/2024
Site ID	RMBI Riverband Maximum Security Institution		
Discip Date	08/21/2024	Discip Time	03:10 PM
Class ID Number		Section ID	
Position ID		Disciplinary Class	B
Refused to Sign Date		Job Code	
Weapon Used		Level of Violence	Physical, no weapons
Posted by Staff ID	STEVCH03	Stevens, Charles	
Infraction Type	Fighting		
Offender Advisor			
Staff Advisor			
Offender Account	Offender Was Held In Absentia For His Unwillingness To Participate In His Hearing. He Was Found Guilty By A Class (a) Disciplinary Board Due To The Preponderance Of Evidence.		
Decision ID	GOVAAM01 Govan, Amber		
	GOVAAM01 Govan, Amber		
	GOVAAM01 Govan, Amber		
Plea N	Disposition	Guilty	Disposition Date 08/21/2024

19

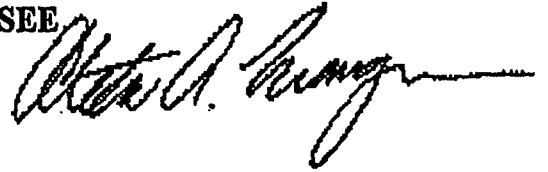
EXHIBIT D:
TO BE LATE FILED

20

Motion GRANTED.

An in-person status conference with
lawyers only will be held on 10/1/2024 at
1:00 p.m. in chambers.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION



JON HALL #238941

Plaintiff,

v.

TONY PARKER,
et al.,

Defendants.

CAPITAL CASE

No. 3:19-cv-00628
JUDGE TRAUGER

MOTION FOR EMERGENCY STATUS CONFERENCE

By and through his court-appointed guardian ad litem and counsel, Jon Hall ("Mr. Hall") hereby moves this Court for an emergency status conference and order to enforce the settlement agreement in this matter, on account of repeated breaches of that agreement by the Tennessee Department of Corrections ("TDOC").

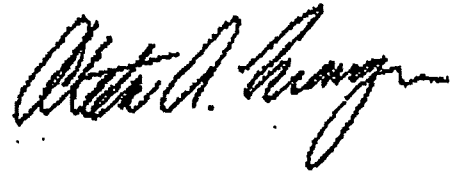
Following a *pro se* complaint, this Court appointed the undersigned counsel for Mr. Hall (DE 8), who investigated the conditions of his confinement and brought a lawsuit on his behalf arguing that Mr. Hall was both subjected to cruel and unusual punishment under the Eighth Amendment and deprived of due process under the Fifth and Fourteenth Amendments by officials at TDOC. (DE 45.) Following three years of litigation, the parties resolved the lawsuit with a settlement agreement that:

- (a) Involved substantial changes to TDOC policies to end the use of solitary confinement by arranging for significantly more time out of cell and opportunities to interact with other inmates, as well as substantially less time in restricted custody for inmates charged with disciplinary infractions;

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Motion GRANTED.



JON HALL #238941

Plaintiff,

v.

TONY PARKER,
et al.,

Defendants.

CAPITAL CASE

No. 3:19-cv-00628
JUDGE TRAUGER

MOTION FOR LEAVE TO FILE EXHIBIT UNDER SEAL

By and through his court-appointed guardian ad litem and counsel, Jon Hall ("Mr. Hall") respectfully submits this Motion for Leave to File Exhibit Under Seal (the "Motion") with respect to Exhibit D of the Motion for Emergency Status Conference being filed contemporaneously herewith. Exhibit D is a medical record regarding a psychiatry session between Mr. Hall and one of the TDOC's physicians. Because this exhibit is based upon and contains confidential information concerning Mr. Hall's medical history and treatment, the undersigned counsel respectfully requests this Court's permission to file the document under seal.

WHEREFORE, for the reasons stated herein, Mr. Hall's counsel respectfully requests that the Motion be granted and that Exhibit D of the Motion for Emergency Status Conference being filed contemporaneously herewith be filed under seal.¹

¹ Pursuant to Local Rule 7.01(a), undersigned counsel emailed TDOC's counsel yesterday and asked whether TDOC objected to the filing of this exhibit under seal. As of the time of this filing, counsel for TDOC has not responded.

22

Many, Capricious, & Illegal
Note: See Page 19

In absentia is
Not in TDOC
Policy 502.01
Effective Date
March 1, 2022

Key: Where's 1834 Forms? Failure to Correct...

E-Mails by U-Man Burnette & Sgt Evans Ignored by Sgt. Govan..
* Rebuttal Statement: See: \$ 20,000.00 Error to Page 12

FROM: Ton Hall - Grievance # 24-0323/00368708

DATE: October 3, 2024

☆ Note: Document 160 Order against TDOC!
Notice: ck. Grievance Dates and Check U-2 Visitor Log Books Grievance Pick-up! Erratic.

Rebuttal Statement: Warden Nelson has failed to provide adequate training and/or supervision to his correctional officers regarding the imposition of punishment. Warden Nelson has a non-defensible duty and responsibility to formulate, oversee, and implement official policies, practices, customs, and procedures to be carried out by the Prison's correctional officers. TCA § 39-11-404 causing 60 days of solitary punishment. Sgt Govan's failure to contact Mr. Hall's Guardian ad Litem (Actual notice on the served disciplinary incident report # 01635580, Page 2). Demonstrates Sgt. Govan's egregious behavior of intentionally breaching a Federal Court order issued to protect Mr. Hall's rights, was designed to show Mr. Hall that TDOC/CRMS employees are protected from the application of the laws used to enforce the law by the Executive Branch and therefore can break the law with impunity. Grieved orally to each shift member Hall came into contact and expressed to the Prison Religious Volunteers - so they could see the egregious constitutional rights violations supposed to be governed by Federal Court Judge Aleta Trauger who claims that Mr. Hall is incompetent to make his own decisions even though only the State of Tennessee is not competent to execute Mr. Hall's standing from a Henderson County Judgment, based upon a Madison County Judgment, in excess of authority under Tenn. Const. Art. 1, § 9 without TCA § 20-4-203 Affidavits. Thus, Making John Skramatti liable for the knowing false imprisonment of Hall in violation of TDOC Policy 502.05, ILA § 71, and T.C.A. § 39-14-127, and § 39-13-302 based upon a void Record under T.C.A. § 39-11-201(4)(c), 26-6-104, and TCA 29-21-104, for the Retaliation and official oppression TCA § 39-16-403. Quillen v. Crockett, 928 SW2d @ 51 (1995) [Vindictive oppression - DA's Duty]. See Public Records Hall v. Trump, 3:19-cv-00628, Document of Evidence, 153, 153-1, and 153-2. Violations of Procedural Due Process...

The State of Tennessee has no integrity and needs investigated by the Department of Justice and the International World Court to strip the State of its corruptly obtained sovereignty, these actors willfully ignore... Show me Venue Charge Affidavits
A precondition precedent for Lawful Authority of Madison Co. Judgment!

23

BI01MGL
RMSI
WICHCH01

TENNESSEE DEPARTMENT OF CORRECTION
T O M I S
DISCIPLINARY REPORT

DATE: 08/09/2024
TIME: 07:20
PAGE: 01

OFFENDER NAME: HALL, JOHN
TOMIS ID: 00238941
INSTITUTION NAME: RIVERBEND MAXIMUM SECURITY INSTITUTION
UNIT ID: 2B1
CELL ID: 02

INCIDENT

INCIDENT ID: 01635580
INCIDENT DATE: 07/31/2024
INCIDENT TYPE: FIGHTING
DISCIPLINARY CLASS:
INFRACTION TYPE: FIGHTING
WEAPON USED: NO WEAPON
VIOLENCE COMMITTED: PHYSICAL, NO WEAPONS
PREPARED BY STAFF ID: STEVCH03
REPORTED BY STAFF ID: STEVCH03

WITNESSES/VICTIMS/PERSONS INVOLVED

PERSON ID: STEVCH03
PERSON TYPE: S
INJURED (Y/N): N
PERSON ID: 00139604
PERSON TYPE: O
INJURED (Y/N): N
PERSON ID: 00238941
PERSON TYPE: O
INJURED (Y/N): N

24

See 17
1954

BI01MGL
RMSI
WICHCH01

TENNESSEE DEPARTMENT OF CORRECTION
T O M I S
DISCIPLINARY REPORT

DATE: 08/09/2024
TIME: 07:20
PAGE: 02

TOMIS ID: 00238941 INCIDENT ID: 01635580
OFFENDER NAME: HALL, JOHN

DESCRIPTION:

UPON FURTHER REVIEW OF THE VALERUS CAMERA SYSTEM, IT WAS CONFIRMED ON JULY 29, 2024, AT 1213 PM THAT INMATE JOHN HALL #238941 ASSIGNED TO UNIT 2, ALPHA POD, CELL 210 AND TONY CARRUTHERS #139604 ASSIGNED TO UNIT 2, ALPHA POD, CELL 205 WERE OBSERVED FIGHTING ON THE TOP TIER OF UNIT 2, ALPHA POD. ACCIDENT / INJURY / TRAUMA (AIT) REPORT WAS COMPLETED BY LICENSED PRACTICAL NURSE (LPN) MOLLY TROTTER. INMATES HALL AND CARRUTHERS ARE CHARGED WITH FIGHTING. REVIEWED AND APPROVED BY CAPTAIN ROBERT MOSLEY.

I want Investigation Report on OSM system

PREPARED BY STAFF ID: STEVCH03 STEVENS, CHARLES
REPORTED BY STAFF ID: STEVCH03 STEVENS, CHARLES

I HAVE BEEN GIVEN A COPY OF THIS REPORT AND HAVE BEEN TOLD ABOUT MY LIMITED RIGHT TO REMAIN SILENT AND TO BE REPRESENTED BY AN OFFENDER ADVISOR.

for Hall
OFFENDER SIGNATURE
HALL, JOHN

8/11/24
DATE/TIME
00238941

7:54

OFFENDER WAS GIVEN COPY OF REPORT AND ADVISED OF RIGHTS BUT REFUSED TO SIGN REPORT.

D.A.S. Lawrence
EMPLOYEE INITIALS, IF REPORTING
EMPLOYEE; OTHERWISE, FULL NAME.

8-11-24 1954
DATE/TIME

*See Attached: Necessary and Proper
Encounter with Tony Carruthers #139604
Two pages.*

*Note: I was not provided with Notice of an extended
Pending Investigation pursuant to TDOC Policy 502.d.*

- ① I want records of the offender Mgmt. System.*
- ② I want a video tape of U-2-A-208 of the
incident while under surveillance*
- ③ I want TDOC Confirmation of contacting
My Guardian Ad Litem, as per Settlement Agreement
Doc 123-1 Hall v. Trump, 3:19-cv-00628 w/in 5 days.*

25

BI01MGL
RMSI
WICHCH01

TENNESSEE DEPARTMENT OF CORRECTION
T O M I S
DISCIPLINARY REPORT

DATE: 08/09/2024
TIME: 07:20
PAGE: 03

TOMIS ID: 00238941 INCIDENT ID: 01635580
OFFENDER NAME: HALL, JOHN

STEVCCH03
REPORTING OFFICIAL

8/4/24
DATE/TIME

STEVCCH03
PREPARED BY

8/4/24
DATE/TIME

Robert Maly
REVIEWING DESIGNATED SUPERVISOR

8/9/24 1520
DATE/TIME

IF PLACED IN SEGREGATION:

SENIOR SECURITY OFFICER

DATE/TIME

WARDEN (SEGREGATION PENDING INVESTIGATION)

DATE/TIME

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Department of
Correction

TENNESSEE DEPARTMENT OF CORRECTION
INAPPROPRIATE GRIEVANCE NOTIFICATION

To: John Hall, #238941 Unit/Location: 2B102
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: September 23, 2024
Subject: Inappropriate Grievance

This grievance is inappropriate to the grievance procedure. Your grievance is being returned to you for one or more of the following reasons:

1. Disciplinary matters are inappropriate to the Grievance Procedure. [Policy #501.01 VI.(H)(1)]
2. Appealing decisions or actions of any agency outside the Tennessee Department of Correction (TDOC) is inappropriate to Grievance Procedure. [Policy #501.01 VI.(H)(2)]
3. Classification matters/institutional placement are inappropriate to Grievance Procedure. [Policy #501.01 VI.(H)(3)]
4. Appealing or seeking review of sentence credits. [Policy #501.01 VI.(H)(4)]
5. Grievance Procedure cannot award monetary compensation for injuries or property loss. [Policy #501.01 VI.(H)(5)]
6. Addressing questions regarding sentence structures. [Policy #501.01 VI.(H)(6)]
7. Visitor's behavior which results in disciplinary action. [Policy #501.01 VI.(H)(7)]
8. A diagnosis by medical professionals and medical co-pay is inappropriate. [Policy #501.01 VI.(H)(8)]
9. Security Threat Group (STG) Placement. [Policy #501.01 VI.(H)(9)]
10. Mail rejection. [Policy #501.01 VI.(H)(10)]
11. You have already filed a grievance on this issue. Inmates shall not be permitted to submit more than one grievance arising out of the same or similar incident. [Policy #501.01 VI.(I)(1)]
12. Abuse of Grievance Procedure. You can only have one grievance pending at Level 1 for review. [Policy #501.01 VI.(I)(2)]
13. Profanity, insults, and racial slurs, unless an alleged direct quote of another party, shall not be permitted. Threats may result in disciplinary action. [Policy #501.01 VI.(I)(3)]
14. Grievances must be filed within seven calendar days of the occurrence giving rise to the grievance. A complaint shall not address multiple issues. [Policy #501.01 VI.(C)(1)]

This grievance is unable to be processed due to you not following policy. Grievance forms not properly completed or containing insufficient information for processing shall be returned to the inmate with instructions as to proper completion. [Policy #501.01 VI.(C)(1)] Your grievance is being returned to you for the following reason(s):

1. No specific details (i.e. dates, times, names of persons involved as mandated in *Inmate Grievance Handbook*, Page 7, First Level of Review.)
2. You did not: a) Sign and date, and or b) state your "Requested Solution".
3. Grievance shall be submitted on Form CR-1394 pages 1 and 2. All copies must be legible and in tact. [Policy #501.01 VI.(C)(1)]
4. _____

REMINDER: You have seven (7) calendar days ~~FROM THE DATE THE INCIDENT OCCURRED~~ to submit a grievance. If you are still interested in filing this grievance, please make the necessary corrections and return to grievance office for further processing immediately. If you would like to appeal this response, sign the bottom of your grievance, check "yes" then date it and place (with this coversheet) back in the grievance box. If you have any questions regarding this memo, please have your Unit Officer contact me at Ext. ##### to schedule an appointment. TDOC Policies and Procedures are available in the library.

Cpl. S. Ward, Grievance Chairperson, RMSI

CR 3689

Duplicate as Needed

RDA 2244

27



Department of
Correction

MEMO

To: John Hall, #238941
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: September 23, 2024
Subject: Inappropriate Grievance Notification
Grievance: 24-0323/00368708

Unit/Location: 2B102

Your grievance has been deemed inappropriate to the grievance procedure.

1. Disciplinary matters are inappropriate to the grievance procedure. (501.01 VI. H.1)
Appeals on disciplinary matters need to be done through the disciplinary process.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Blvd. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

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Department of
Correction

MEMO

To: John Hall, #238941 Unit/Location: 2B102
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: October 22, 2024
Subject: Warden's and Supervisor's Response to Grievance
Grievance: 24-0323/00368708

Enclosed you will find a copy of your grievance with the ORIGINAL 'Inmate Grievance Response' form CR-1393. Please review this form which includes the warden's response and, if you would like to appeal, check (YES) or, if you don't want to appeal, check (NO). You must complete the CR-1393 by including your signature and date at the bottom where it indicates 'Grievant' and 'Date'.

Please note: if you fail to return the ORIGINAL CR-1393 signed, dated, and the (Yes) or (No) box checked, we will make a second attempt to contact you in regards to this grievance. If, after the second attempt, you still fail to respond, this grievance will be resolved due to failure of the grievant to participate in the grievance process.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Blvd. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

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Department of
Correction

MEMO

To: Administrative Lt. Thomas
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: September 23, 2024
Subject: Supervisor's Response Requested (CR-3148)
Grievance: 24-0323/00368708

Grievant: John Hall, #238941

Unit/Location: 2B102

The inmate listed above has filed a grievance pertaining to your department or area of responsibility. As a result, I need you to complete form CR-3148 with a Supervisor Response that specifically addresses the grievant's concern. You may complete the form electronically and e-mail it to me or complete the enclosed form and mail it back to the Grievance Office.

It is our goal to resolve all grievances at the lowest level possible. I ask that, if possible, please attempt to resolve the complaint with the grievant. If you get the issue resolved, please complete the following steps:

- »» Complete the CR-3148, Supervisor Response form. Allow the grievant to review your response.
- »» At the bottom of the Inmate Grievance Form (CR-1394), have the grievant check the NO box next to the 'Do you wish to appeal this response?' question.
- »» Make sure the grievant signs and dates the CR-1394.
- »» You sign the Witness line and return all paperwork to the Grievance Office.

If you are unable to resolve the issue, please complete the enclosed Supervisor's Response (CR-3148) as requested in the instructions at the opening of this memo and return it to the Grievance Office by the listed date.

Thank you for your help.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Blvd. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

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Department of
Correction

MEMO

To: John Hall, #238941 Unit/Location: 2B102
From: Cpl. S. Ward, RMSI Grievance Chairperson
Date: October 1, 2024
Subject: Supervisor's Response to Grievance
Grievance: 24-0323/00368708

Enclosed you will find a copy of your grievance with the ORIGINAL FIRST PAGE of 'Inmate Grievance' form CR-1394. Please review this form which includes the supervisor's response and, if you would like to appeal, check (YES) or, if you don't want to appeal, check (NO). You must complete the CR-1394 by including your signature and date at the bottom where it indicates 'Grievant' and 'Date'.

Please note: if you fail to return the ORIGINAL CR-1394 signed, dated, and the (Yes) or (No) box checked, we will make a second attempt to contact you in regards to this grievance. If, after the second attempt, you still fail to respond, this grievance will be resolved due to failure of the grievant to participate in the grievance process.

Department of Correction * Riverbend Maximum Security Institution * 7475 Cockrill Bend
Bldg. * Nashville, TN 37243 * 615-350-3361 * tn.gov/Correction

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State of Tennessee

Department of Corrections

Riverbend Maximum Security Institution

7475 Cockrill Bend Blvd.

Nashville, Tennessee 37243

(615) 350-3100 ext. 3718

Rebuttal Statement *Grievance # 24-0323/00368708*

FROM: *Jon Hall # 238942*

DATE: *October 25, 2025*

Cover-up / Interference!
I had no other form of
Remedy = Necessity Grievance.

Rebuttal Statement: This matter was already addressed by Judge Aleta Traugher. See enclosed *Hall v. Trump*, D.E. 160, PageID 1928, marked as Grievance Exhibit page [33]. Grievance Exhibit page [9] states in part: "TDOC has failed to provide the requisite documentation to justify its actions and refused to rectify the situation."

However, as of October 24, 2024 TDOC/RMSI grievance personnel still refuse to abide to anything agreed upon and ~~ORDERED BY THE COURT~~ made between Mr. Hall's Guardian Ad Litem, Brad Maclean (brad.maclean9@gmail.com), Dawn Jordan (dawn.jordan@ag.tn.gov), & Donna Green (Donna.green@ag.tn.gov), based upon incident # 01635580, for fighting in July 2024, marked as Grievance Exhibit page [25], (Breached by Sgt. Goyan - failure to contact guardian as per agreement). See enclosed: Grievance Exhibit (page [34]; signed by U-2 Counselor, S Williamson, "Jon Hall # 238941 disciplinary history from 2018 to 10/24/24 still shows fighting").

Although Warden Nelsen did not commit the due process violations, he became responsible for them when he failed to correct them in the course of his supervisory responsibilities. *Hicks v. Frey*, 992 F.2d 1450, 1455 (6th Cir. 1993) (Noting an official can be held liable for failure to supervise and control subordinates even though he was not directly involved in the incident and misconduct). This is a textbook argument taken from the Prisoner's Self-help Litigation Manual, page 885 (2010 edition), already cited on page [23].

Here, the Warden's subordinates knowingly and intentionally breached the original settlement agreement (D.E. 123-1) and constitutes grounds for modification and rescission, so that his original action is reinstated and determined on the merits. (D.E. # 134, PageID # 1513). Thus, the institutional injunction is insufficient to remedy the grievant's protected constitutional rights. See e.g. *Hook v. Arizona Dept of Corrections*, 107 F.3d 1397, 1403 (9th Cir. 1997) (Contemptuous defiance of the Court's order constitutes grounds for modification). See also: Warden's (high managerial agents) knowing and willful failure to provide extraordinary relief affirmed 10/16/24, ratifying his subordinates actions, in violation of moral turpitude laws regarding signed orders under T.C.A. 8-42-103, § 8-42-104, § 8-47-101, and § 39-11-404.

NOTE: *Livingston v. Piskor*, 215 F.R.D. 84, 86-87 (W.D.N.Y. 2003) (Evidence that grievance personnel refused to process grievances where a disciplinary report had been filed covering the same events precluded dismissal for non-exhaustion.)

Without the CR-1834 Forms, Mr. Hall was denied an opportunity to file a disciplinary appeal in a timely manner and you would not try to accommodate Mr. or my counsel. See TDoc Policy 502.01 3/1/22 Page 29 of 36.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JON HALL #238941

Plaintiff,

v.

TONY PARKER, et al.,

Defendants.

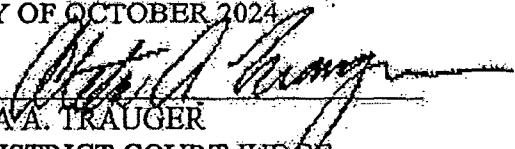
No. 3:19-cv-00628
JUDGE TRAUGER

JURY DEMAND

AGREED ORDER

This matter came on for a Status Conference on October 1, 2024. As a result of the conference, the parties agree as follows: The disciplinary board hearing held on August 9, 2024, did not comply with the requirements of the Settlement Agreement of March 25, 2022. As a result, Plaintiff shall be returned to program Level A immediately and will not be further charged for the July 2024 infraction. Beginning January 1, 2025, and every quarter thereafter, Tennessee Department of Correction shall provide Plaintiff's progress notes for the treatment referenced in Paragraph 15 to Plaintiff's attorneys and guardian ad litem. This Order resolves all claims that may have existed under the Settlement Agreement as of this date.

IT IS SO ORDERED, THIS THE 1st DAY OF OCTOBER 2024.


ALETA A. TRAUGER
U.S. DISTRICT COURT JUDGE

DisciplinaryLinks: Suspend ☐

TOTALS: 0 00238941

Status: AQTV Location: 8th

Record Review History

Refresh

Enter

Incident Date	Incident ID	Disc Class	First Infraction Type
07/31/2024	01835680	B	FIG FIGHTING
04/30/2020	01439937	B	DSP DESTROYING STATE PROPERTY
04/29/2020	01439791	B	DFN **DEFIANCE
01/13/2020	01422879	B	DFN **DEFIANCE
01/13/2020	01422891	B	DSP DESTROYING STATE PROPERTY
12/27/2019	01420187	B	DFN **DEFIANCE
11/26/2019	01415988	B	CON CONTRABAND
11/26/2019	01415990	A	PDW POSSESSION OF DEADLY WEAP
10/30/2018	01355928	B	CON CONTRABAND

Search

10/24/24

J. Williamson CC3



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